

**Notice of Allowability**

Application No.

10/536,510

Examiner

Cynthia Hamilton

Applicant(s)

BAUMANN ET AL.

Art Unit

1752

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to PAPERS FILED 5/25/2005.
2. ☒ The allowed claim(s) is/are 14-23.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☒ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

*Cynthia Hamilton*  
CYNTHIA HAMILTON  
PRIMARY EXAMINER  
9/4/06

Cynthia Hamilton  
Primary Examiner  
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### REASONS FOR ALLOWANCE

1. The following is an examiner's statement of reasons for allowance: Applicant's claims are found allowable over the prior art of record because there is no prima facie obvious reason to combine applicants oligomer A with oligomer B. The closest non patent literature found by this examiner was to Huang which is directed to UV-curable polyurethane coatings with hema substituted phosphazene monomer, however no disclosure to the biuret linking groups of applicants' oligomer B are cited. The closest prior art of record is that cited by applicants in their specification. Setiabudi (WO 00/68739), Ando (EP 0 557 943 A2) and Faust (US 4019,972 which is an English equivalent of DE 2,361041 not made of record but cited by applicants) disclose the parts of the invention but do not give prima facie obvious reason to combine. The examiner does note for the record Faust by addressing crystallinity and volatility in column 1 do address issues of storability. All three address radiation sensitivity and thus photosensitivity. However, there is no prima facie obvious reason to combine applicants oligomer A with oligomer B. The examiner notes that the search report for the PCT application cites the same documents with the same conclusion. Nienhaus et al (2003/0171449 A1 and earlier published WO 02/31015 A1 in German) teach using the instant oligomer B with biuret free or blocked isocyanates. In Niehaus et al, see particularly [0004], [0038] and [0068]. Bruchmann et al (6,617,413 B1) also teaches using biuret isocyanate groups in dual cure photopolymeric printing plates. Tani et al (EP 0 453 237 A2 and US 6,045,975) teach mixing the instant B oligomers with acrylate compounds to form heat-resistant varnishes tht can be formed by photocuring. Mori et al (5,051,295) teach the use of the phosphazene polymerizable compounds in protective

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coatings for reasons of durability. Matsumura et al (2004/0091816 A1 and 2003/0113667 A1) teach using the phosphazene oligomers with polyurethanes in planographic printing plates with no mention of the biuret linking groups. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

*Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cynthia Hamilton whose telephone number is 571-272-1331. The examiner can normally be reached on Monday through Friday 9:30 am to 5:00 pm.*

*If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cynthia H. Kelly can be reached on (571) 272-0729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.*

*Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.*



Cynthia Hamilton  
Primary Examiner  
Art Unit 1752

September 4, 2006

**CYNTHIA HAMILTON**  
**PRIMARY EXAMINER**